

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chair Kirk Wagoner, on February 15, 2017 at 3:00 PM, in Room 152  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Kirk Wagoner, Chair (R)  
Rep. Jessica Karjala, Vice Chair (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Bill Harris (R)  
Rep. Tom Jacobson (D)  
Rep. Kathy Kelker (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Vince Ricci (R)  
Rep. Walt Sales (R)  
Rep. Barry Usher (R)  
Rep. Tom Welch (R)

##### **Members Excused:**

Rep. Dennis R. Lenz, Vice Chair (R)  
Rep. Ellie Hill Smith (D)  
Rep. Forrest Mandeville (R)  
Rep. Matt Regier (R)

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Carolyn Tschida, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 369, 2/3/2017; HB 387, 02/13/2017; HB 395, 02/07/2017  
Executive Action: HB 323; HB 328; HB 333; HB 334; SB 83

**HEARING ON HB 395**

**Opening Statement by Sponsor:**

00:01:26 Rep. Tom Woods (D), HD 62, opened the hearing on HB 395, Require PSC approval of certain hospital charges.

[EXHIBIT\(huh33a01\)](#)

[EXHIBIT\(huh33a02\)](#)

00:10:04 Rep. Regier joined the meeting

00:10:27 Chair Wagoner

**Proponents' Testimony:**

00:10:48 Jim Edwards, Health Insurance Consultant

[EXHIBIT\(huh33a03\)](#)

00:15:38 Gary Lusin, Self

[EXHIBIT\(huh33a04\)](#)

00:20:48 Katie Westhoff, Montana Public Interest Research Group

**Opponents' Testimony:**

00:23:34 Commissioner Roger Koopman, Public Service Commission (PSC)

[EXHIBIT\(huh33a05\)](#)

00:31:28 Bob Olsen, Montana Hospital Association (MHA)

[EXHIBIT\(huh33a06\)](#)

00:38:58 Tony Pfaff, Deer Lodge Medical Center

00:41:43 Gordon Davidson, Bozeman Health

00:44:11 Rep. Mandeville joined the meeting

00:47:06 JJ Carmody, Billings Clinic

[EXHIBIT\(huh33a07\)](#)

00:53:23 Kurt Bodlovic, St. Patrick's Hospital

00:53:43 Greg Drapes, Monida Hospitals

00:53:54 Bruce Houlihan, Benefis Health System

00:54:14 Jessie Luther, Benefis Health System

[EXHIBIT\(huh33a08\)](#)

00:54:28 Mike Foster, Montana Catholic Hospitals

00:54:42 Bill Warden, St. Peters Hospital

00:54:53 Aidan Myhre, Kalispell Regional Medical Center

[EXHIBIT\(huh33a09\)](#)

**Informational Testimony:**

00:55:34 Marilyn Bartlett, Montana Department of Administration (DOA)

**Questions from Committee Members and Responses:**

00:56:08 Rep. Pierson  
00:56:17 Rep. Hill Smith joined the meeting  
00:56:26 Rep. Woods  
00:56:49 Rep. Kelker  
00:57:10 Marilyn Bartlett, DOA  
01:01:15 Rep. Kelker  
01:01:34 Marilyn Bartlett, DOA  
01:02:22 Rep. Dunwell  
01:02:46 Marilyn Bartlett, DOA  
01:03:27 Rep. Dunwell  
01:04:16 Jim Edwards, Health Insurance Consultant  
01:06:48 Rep. Dunwell  
01:07:10 Jim Edwards, Health Insurance Consultant  
01:07:55 Rep. Karjala  
01:08:34 Jim Edwards, Health Insurance Consultant  
01:09:48 Rep. Karjala  
01:10:05 Jim Edwards, Health Insurance Consultant  
01:10:37 Rep. Karjala  
01:10:57 Rep. Woods  
01:11:35 Rep. Karjala  
01:11:55 Rep. Woods  
01:12:29 Rep. Karjala  
01:12:52 Marilyn Bartlett, DOA  
01:13:44 Rep. Karjala  
01:13:55 Marilyn Bartlett, DOA  
01:14:23 Rep. Ricci  
01:15:12 Tony Pfaff, Deer Lodge Medical Center  
01:15:32 Rep. Pierson  
01:16:03 Jim Edwards, Health Insurance Consultant  
01:16:38 Rep. Usher  
01:17:05 Jim Edwards, Health Insurance Consultant  
01:17:59 Rep. Usher  
01:18:12 Jim Edwards, Health Insurance Consultant  
01:19:16 Rep. Usher  
01:19:40 Marilyn Bartlett, DOA  
01:20:08 Chair Wagoner  
01:20:28 JJ Carmody, Billings Clinic  
01:20:32 Chair Wagoner  
01:20:36 JJ Carmody, Billings Clinic  
01:21:16 Chair Wagoner  
01:21:39 Kurt Bodlovic, St. Patrick's Hospital  
01:22:00 Rep. Lenz joined the meeting  
01:22:03 Rep. Pierson left the meeting

**Closing by Sponsor:**

01:22:07 Rep. Woods  
  
01:26:32 Recess  
01:39:23 Reconvene

**HEARING ON HB 387****Opening Statement by Sponsor:**

01:39:36 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 387, Authorize establishment of a 12-bed intensive behavioral center.

01:44:04 Chair Lenz

**Proponents' Testimony:**

01:44:27 Dan Villa, Office of Budget Program and Planning (OBPP)

01:48:40 Carol Dailey, Self

**[EXHIBIT\(huh33a10\)](#)**

01:56:56 Drew Dawson, Boulder Transition Advisory Committee (BTAC)

**[EXHIBIT\(huh33a11\)](#)**

02:03:18 Eric Burke, Montana Education Association and Montana Federation of Teachers (MEA-MFT)

02:05:29 Carl Seilstad, Fergus County Commissioner

02:06:02 Jane Weber, Cascade County Commissioner

02:06:28 Tim Twardoski, American Federation of State, County and Municipal Employees (AFSCME)

02:06:54 Commissioner Bob Mullen, Jefferson County

**[EXHIBIT\(huh33a12\)](#)**

02:07:17 Commissioner Deb Brandon, Toole County

02:07:43 Chris Cavazos, Montana AFL-CIO

**Opponents' Testimony:**

02:08:16 Lori Jaschek, Self

**[EXHIBIT\(huh33a13\)](#)**

02:13:17 Kelsen Young, Montana Coalition Against Domestic Violence

02:14:35 Bernadette Franks-Ongoy, Disability Rights Montana (DRM)

**[EXHIBIT\(huh33a14\)](#)**

02:21:32 Steve Heaverlo, Disability Rights Montana (DRM)

**[EXHIBIT\(huh33a15\)](#)**

02:22:36 Charlie Briggs, Self

02:25:00 Beth Brenneman, Disability Rights Montana (DRM)

**Informational Testimony:**

02:28:13 Mary Dalton, Department of Health and Human Services (DPHHS)

02:28:35 Rebecca de Camara, Department of Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

02:29:03 Rep. Karjala

02:29:29 Dan Villa, OBPP

02:32:37 Rep. Karjala

02:32:54 Dan Villa, OBPP  
02:35:50 Rep. Dunwell  
02:37:30 Dan Villa, OBPP  
02:40:42 Rep. Dunwell  
02:41:01 Dan Villa, OBPP  
02:42:08 Rep. Mandeville  
02:42:37 Bernadette Franks-Ongoy, DRM  
02:43:12 Rep. Mandeville  
02:43:38 Bernadette Franks-Ongoy, DRM  
02:44:43 Rep. Ricci  
02:45:05 Rep. Wagoner  
02:46:37 Rep. Harris  
02:47:14 Beth Brenneman, DRM  
02:48:38 Rep. Harris  
02:49:58 Beth Brenneman, DRM  
02:51:59 Rep. Harris  
02:52:17 Beth Brenneman, DRM  
02:52:42 Rep. Dunwell  
02:53:23 Rep. Wagoner  
02:53:51 Rep. Dunwell  
02:54:03 Rep. Wagoner  
02:54:21 Rep. Dunwell  
02:54:34 Rep. Wagoner  
02:54:59 Rep. Dunwell  
02:55:28 Rebecca de Camara, DPHHS

**Closing by Sponsor:**

02:56:41 Rep. Wagoner

03:00:25 Chair Lenz

03:00:30 Recess

03:08:31 Reconvene

**HEARING ON HB 369****Opening Statement by Sponsor:**

03:08:50 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 369, Establish requirements for accepting sexual/violent offenders in DD group homes.

**Proponents' Testimony:**

03:13:59 Commissioner Bob Mullen, Jefferson County  
03:20:24 Alisha Driscoll, Self  
03:21:17 Jere Hoy, Self

**Opponents' Testimony:**

03:22:18 Ken Brown, Opportunity Resources  
03:34:16 Beth Brenneman, Disability Rights Montana (DRM)

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

03:36:18 Rep. Wagoner

03:37:44 Chair Wagoner resumes chair

**EXECUTIVE ACTION ON HB 323**

03:39:01 **Motion:** Rep. Lenz moved that **HB 323 DO PASS.**

03:39:10 Chair Wagoner

03:39:43 **Motion:** Rep. Lenz moved that **HB 323 BE AMENDED.**  
**EXHIBIT(huh33a16)**

**Discussion:**

03:40:03 Chair Wagoner

03:40:18 Sue O'Connell, Legislative Services Division (LSD)

03:41:19 **Vote:** Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

03:42:05 **Vote:** Motion **HB 323 DO PASS AS AMENDED** carried unanimously by voice vote. Rep. Pierson voted by proxy.

**EXECUTIVE ACTION ON HB 328**

03:42:25 **Motion:** Rep. Lenz moved that **HB 328 DO PASS.**

03:42:33 Sue O'Connell, LSD

03:42:49 Chair Wagoner

**Discussion:**

03:42:56 Rep. Karjala

03:43:27 **Vote:** Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

**EXECUTIVE ACTION ON HB 333**

03:44:00 **Motion:** Rep. Lenz moved that **HB 333 DO PASS.**

03:44:25 **Motion:** Rep. Lenz moved that **HB 333 BE AMENDED.**  
**EXHIBIT(huh33a17)**

03:44:38 Sue O'Connell, LSD

03:44:53 **Vote:** Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

03:45:18 **Motion/Vote:** Rep. Lenz moved that **HB 333 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

**EXECUTIVE ACTION ON HB 334**

03:45:48 **Motion:** Rep. Lenz moved that **HB 334 DO PASS**.

**Discussion:**

03:45:57 Sue O'Connell, LSD

03:46:17 Rep. Ricci

03:46:41 Rep. Karjala

03:48:05 Rep. Harris

03:48:51 Rep. Usher

03:49:25 Rep. Dunwell

03:50:08 Rep. Karjala

03:50:54 **Vote:** Motion carried 12-3 by roll call vote with Rep. Karjala, Rep. Kelker and Rep. Pierson voting no. Rep. Pierson voted by proxy.

**EXECUTIVE ACTION ON SB 83**

03:52:13 **Motion:** Rep. Lenz moved that **SB 83 BE CONCURRED IN**.

03:52:19 Sue O'Connell, LSD

**Discussion:**

03:52:36 Rep. Kelker

03:54:21 **Vote:** Motion failed 7-8 by roll call vote with Rep. Harris, Rep. Lenz, Rep. M. Regier, Rep. Ricci, Rep. W. Sales, Rep. Wagoner and Rep. Welch voting aye. Rep. Pierson voted by proxy.

03:55:44 **Motion/Vote:** Rep. Lenz moved that **SB 83 BE TABLED**. Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

03:56:02 Chair Wagoner

03:56:07 Rep. Hill Smith

03:56:20 Chair Wagoner

03:56:26 Rep. Hill Smith

03:56:28 Chair Wagoner

03:56:38 Rep. Karjala

03:56:47 Chair Wagoner

03:57:00 Rep. Karjala

03:57:11 Chair Wagoner

**ADJOURNMENT**

Adjournment: 03:57:20

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Carolyn Tschida, Secretary

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Additional Documents:

**EXHIBIT**([huh33aad.pdf](#))